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PATENT  
03822-P0173A GSW/DC

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	William Alfond, <i>et al.</i>
Serial No. 09/991,101	Filing Date: November 21, 2001
Title of Application:	IMPROVED REMOVABLE HEEL
Confirmation No. 5726	Group Art Unit: 3728
Examiner	Ted Kavanaugh

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

RECEIVED  
OCT 07 2004  
TECHNOLOGY CENTER P3700

**Petition to Withdraw Holding of Abandonment**

On September 2, 2004 a Notice of Abandonment was mailed in the above-captioned case (copy attached as Exhibit A) due to "Applicant's failure to timely file a proper reply to the Office letter mailed on September 10, 2003".

Applicant, through his duly appointed Attorney, hereby petitions the Commissioner to withdraw this holding of abandonment on grounds that the Office Letter mailed September 10, 2003 was never delivered to the Attorney's Office. In support of this Petition, Applicant encloses a statement by the Attorney of Record showing that he has not received the Office letter (attached at Exhibit B), and a copy of Docketing and Paper handling procedures of St. Onge Steward Johnston and Reens, LLC, the law firm representing Applicant (attached at Exhibit C). Also enclosed are a Calendar of Matter (copy attached at Exhibit D), a weekly Docket List (copy attached at Exhibit E),

Mailing Certificate: I hereby certify that this correspondence is today being deposited with the U.S. Postal Service as *First Class Mail* in an envelope addressed to: Commissioner for Patents and Trademarks; Post Office Box 1450; Alexandria, VA 22313-1450.

September 29, 2004

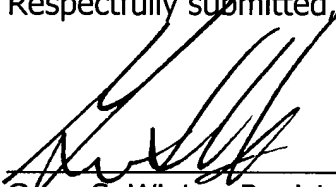
Jadira N. De la Torre  
Jadira De La Torre

a Completed Events Calendar (copy attached at Exhibit F) where the Office letter would have been entered had it been received, a copy of the Power of Attorney designating Gene S. Winter and David Chen as the attorneys to receive all communications regarding this patent application (copy attached as exhibit G), and a copy of the postcard received by the U.S. Patent Office evidencing receipt of the Power of Attorney designating Gene S. Winter and David Chen of ST.ONGE STEWARD JOHNSTON & REENS as the attorneys of record (copy attached as Exhibit H).

Applicant submits that based on evidence presented in the above-mentioned documents this Notice of Abandonment was issued in error, and request that it be withdrawn.

Applicant also respectfully requests that a copy of the non-received Office Action be re-mailed to Applicant's attorney.

Respectfully submitted,



---

Gene S. Winter, Registration No. 28,352  
David Chen, Registration No. 46,613  
Attorneys for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/991,101	11/21/2001	William Alfond	10207-131001	5726
<div style="display: flex; justify-content: space-between;"> <div> <p>7590      09/02/2004</p> <p><b>FORREST N. KRUTTER</b>            3024 HARNEY STREET            OMAHA, NE 68131</p> </div> <div> <p>EXAMINER</p> <p>KAVANAUGH, JOHN T</p> </div> </div>				
			ART UNIT	PAPER NUMBER
			3728	

DATE MAILED: 09/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

*GSC*  
*3822 P173K*

# Notice of Abandonment

Application No.

09/991,101

Examiner

Ted Kavanaugh

Applicant(s)

ALFOND ET AL.


Art Unit

3728

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address–

This application is abandoned in view of:

1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 10 September 2003.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☒ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☐ The reason(s) below:

  
Ted Kavanaugh  
Primary Examiner  
Art Unit: 3728

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	William Alfond, <i>et al.</i>
Serial No. 09/991,101	Filing Date: November 21, 2001
Title of Application:	IMPROVED REMOVABLE HEEL
Confirmation No. 5726	Group Art Unit: 3728
Examiner	Ted Kavanaugh

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

**Statement by Gene S. Winter, Attorney Of Record, In Support Of  
Petition to Withdraw Holding of Abandonment Under MPEP §711.03©(II)**

The undersigned hereby states that an Office Action mailed September 10, 2003 was never received by the Attorney for the following reasons.

1.St. Onge, Steward, Johnston and Reens LLC (further referred to as "SSJR"), wherein the undersigned is a partner, has been specializing in intellectual property law for many decades and is familiar with the established practice of the U.S. Patent and Trademark Office.

2.SSJR strictly adheres to its Docketing, Paper Handling And File Maintenance Procedure (further referred to as "Manual") which was last revised on November 06, 2002 and is attached hereto at Exhibit C.

3.All mail received by SSJR is first date stamped by a Docket Administrator who then reviews it for need of docketing. One of the required docket entrees is Non-final Office Actions, as indicated by Manual (Exhibit C, §§A(1) & D(3)).

4.A required docket entry includes a nature of action to be taken and due date which are electronically entered into a Calendar for Matter corresponding to an Attorney Docket Number, as is indicated on a cover sheet of an Office Action. Had the Office Action been received, both a written description of the action and a due date (March 10, 2004) for reply should have been entered into a Calendar for Matter, as required by Manual (Exhibit C, §A(4)). No such entry can be found in the Calendar for Matter of matter number 03822-P0173A (Exhibit D).

5.Each docketed paper is to be delivered to a secretary of attorney of record within a short period of time after it has been docketed and checked by the secretary for accuracy of docketing notation, as required by Manual (Exhibit C, §B(1)). Had any inconsistency been noticed, a paper should have been returned to the Docketing Administrator for correcting the Calendar of Matter (See Exhibit D). The Calendar of Matter does not indicate any corrections.

6. Had the Office Action reached the secretary of attorney of record, it should be have been added to a file jacket and given to an Attorney of Record for his review, as required by Manual (See Exhibit C, §B(3)). Thorough examination of the file jacket reveals that the Office Action has not been added.

7. Had the Office Action been added to the file jacket, the Attorney of Record should have assured accuracy of docketing entries, as required by Manual (Exhibit C, §C(2)). The undersigned has not seen the file jacket until a Notice of Abandonment was received on September 10, 2004.

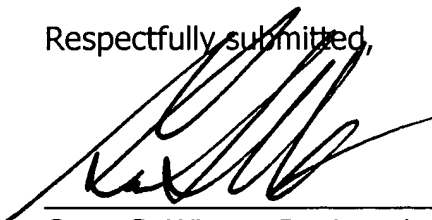
8.Had the Office Action avoided somehow all of the above-listed procedural guards and appeared on the Attorney's desk separately from the file jacket, he should have immediately contacted a Docketing Administrator, as required by Manual (Exhibit C, §C(3)). The undersigned has never confronted the Docketing Administrator in reference to this particular matter.

9.Had the Office Action been docketed but not delivered to the secretary of attorney of record and/or Attorney of record, an updated Docket List for each attorney, prepared weekly by the Docketing Administrator and including all items due within two month, should have included it (Exhibit C, §A (6)). Neither the Office Action nor the due date (March 10, 2004) appears on any of the Docket Lists (Exhibit E).

10.Had the secretary of attorney of record and Attorney of record missed an inaccurate docketing entry, a Completed Events Calendar prepared by the Docketing Administrator should have indicated a nature of action and due date. No reference to the above-captioned application appears on the Completed Events Calendar on March 10, 2004 (Exhibit F).

All statements made herein of my own knowledge are true and all statements made on information and belief are believed to be true; and further, these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment or both, under Section 1001 of Title 18 of the United States Code; and such willful, false statements may jeopardize the validity of the above registration.

Respectfully submitted,



---

Gene S. Winter, Registration No. 28,352  
David Chen, Registration No. 46,613  
Attorneys for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155

**St. Onge Steward Johnston & Reens LLC**

**DOCKETING, PAPER HANDLING AND FILE MAINTENANCE PROCEDURES**

**Revised 11/06/02**



## TABLE OF CONTENTS

I.	Docketing and Paper Handling .....	1
A.	Responsibilities of Docket Administrator .....	1
B.	Responsibilities of Administrative Assistants .....	2
C.	Responsibilities of Attorneys .....	2
D.	Required Docket Entries for Specific Papers .....	3
1.	New U.S. Patent Applications .....	3
2.	Notice to File Missing Parts.....	4
3.	Non-Final U.S. Office Actions.....	4
4.	U.S. Final Rejections .....	5
5.	U.S. Notice of Appeal .....	5
6.	U.S. Examiner Answer .....	5
7.	U.S. Board of Appeals Decision.....	6
8.	U.S. Notice of Allowance .....	6
9.	Issuance of U.S. Patent.....	6
10.	Foreign Patent Application.....	7
11.	Foreign Filing .....	7
12.	Trademarks.....	8
13.	Trademarks (Foreign) .....	9
14.	Trademark Oppositions.....	10
15.	Trademark Cancellations.....	14
14.	Domain Names.....	19
II.	File Maintenance .....	19
A.	PATENTS .....	19
B.	TRADEMARKS .....	20

C. BOX STORAGE .....	20
CLIENT CONFLICT CHECK LIST.....	TAB 1
PRE-ISSUE CHECK LIST .....	TAB 2
BOX LABEL.....	TAB 3

## ***I. DOCKETING AND PAPER HANDLING***

### **A. RESPONSIBILITIES OF DOCKET ADMINISTRATOR:**

1. Date stamp all mail upon opening.
2. Review each paper for need to docket. If any question, check with responsible attorney, but do not leave with attorney unless docketed. If attorney cannot help at that time, fill out NOT DOCKETED card – staple one to jacket and put one in Docketing file box.
  - a. Litigation matters will be distributed to and docketed by the Litigation Department with backup by Docket Administrator.
3. Note action to be taken and due date on date stamp on paper.
4. Enter docketing in computer database.
5. Check print-out against entry on paper; then initial by the person docketing the item to indicate that it has been docketed.
6. As new information comes in (filing dates, serial numbers, publication dates, etc.), it should be added to the Matter File.
7. Every Monday prepare an updated Docket List for each attorney, including all items due for two months.
8. Promptly complete, cancel, or reschedule items for which you have been given information from the attorney or assistant.
9. At the end of each month, review outstanding docket items and check with attorneys or assistants to see what should be completed, cancelled, or rescheduled.

**B. RESPONSIBILITIES OF ADMINISTRATIVE ASSISTANTS:**

1. Check each paper for docketing and for accuracy of docketing notation. No paper should be placed on any attorney's desk until accuracy has been checked.
2. If a paper has not been docketed or docketed incorrectly, return to docketing administrator.
3. Retrieve file, copy any Office Actions, tie all original papers into file before giving to attorney.
4. As new information comes in (filing dates, serial numbers, publication dates, etc.) it should be added to the file jacket.
5. Review docket for completed projects. Indicate docket entries to be completed, cancelled, or rescheduled. Also note whether a case has been abandoned or transferred.
6. Check accuracy of Matter File and file wrapper data against official filing receipt or other official papers.

**C. RESPONSIBILITIES OF ATTORNEYS:**

1. For new clients, circulate and follow instruction on new client checklist (attached at Tab 1).
2. Assure accuracy of docketing entries on docket stamp.
3. Do not permit an undocketed paper to remain on your desk – see Docketing Administrator immediately.
4. Do not permit original papers to remain loose in the file or on your desk.
5. Promptly complete pre-issue checklist.

**D. REQUIRED DOCKET ENTRIES FOR SPECIFIC PAPERS:**

**1. New U.S. Patent Applications**

Upon receipt of a postcard confirming filing, the filing particulars of the new application should be entered in the computer database. New U.S. patent applications should be docketed with attorney's initials. If more than one attorney is responsible for the case, add the attorney primarily responsible for the case first.

**a. Utility Patent Applications.** Docket each case filing in the U.S. for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Information Disclosure Statement	IDS	3 months from filing date
Foreign Filing (only if not based on US prov. appln.)	F	1 year from filing date

**b. Design Patent Application.**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Information Disclosure Statement	IDS	3 months from filing date
Foreign Filing	F	6 months from filing date

**c. Provisional Application.**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Utility Application	U	1 year from filing date
Foreign Filing	F	1 year from filing date

## **2. Notice to File Missing Parts.**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Declaration	DEC	2 months
Declaration, S.P.	DECF	6 mos. from office action
Drawings	DRWG	2 months
Drawings (6 mos.)	DWG6	6 mos. from office action

## **3. Non-Final U.S. Office Actions**

### **a. Restriction Requirement**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Election	ELCT	1 month (or a period determined in office action)
Election, S.P.	ELEC	6 months

### **b. Rejection**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Amendment (3 mos.)	A3	3 months
Amendment (6 mos., S.P.)	A6	6 months

No extension of time beyond six months is possible.

### **c. Office Action in Reexamination.** Extension of time only available if filed before elapse of period for response and on showing of sufficient cause.

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Amendment (2 mos., non-ext.)	A2	2 months

**4. U.S. Final Rejections. When a Final Rejection is received, docket for:**

<b>Docketing Entry</b>	<b>Code</b>	<b>Date</b>
Amendment F.R. (2 mos.)	A2F	2 months
Amendment F.R./Appeal (3 mos.)	A3F	3 months
Amendment F.R./Appeal (6 mos. S.P.)	A6F	6 months

When an amendment or request for reconsideration is filed in response to a Final Rejection, the six month docket entry should **not** be deleted because it may still be necessary to file a Notice of Appeal.

**5. U.S. Patent Office Notice of Appeal.**

When a Notice of Appeal is filed, this starts a two-month time period for filing an Appeal Brief, which should be docketed for as follows:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Appeal Brief	APBR	2 months from date of filing the Notice of Appeal
Appeal Brief, S.P.	APB6	6 months from date of filing the Notice of Appeal

**6. U.S. Examiner Answer**

Shortly after we file an Appeal Brief we will receive an Examiner's Answer. This should be docketed as follows:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Reply Brief	RPBF	2 months from date of Examiner's Answer
Request for Oral Hearing	RQOH	2 months from date of Examiner's Answer

## **7. U.S. Board of Appeals Decision**

These decisions must be reviewed with the attorney regarding time limits or rejections as well as the need for appeal, and docketing entries relating to an appeal. They should be immediately docketed for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Request for Reconsideration	RCON	1 month from date of Decision
Appeal/CAFC or DC	CAFC	60 days from date of Decision

## **8. U.S. Notice of Allowance**

Attach pre-issue checklist in form attached at Tab 2 and docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Issue Fee/Drawings	IF	3 months from date of Notice
Update for Patent Number	UPDT	5 months from date of Notice

## **9. Issuance of U.S. Patent**

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Maintenance Fee (1st)	MF1	3 years, 6 mos. from issue date
Maintenance Fee (2nd)	MF2	7 years, 6 mos. from issue date
Maintenance Fee (3rd)	MF3	11 years, 6 mos. from issue date

## 10. Foreign Patent Applications

Typical docketing items:

Certified Copy of		
Priority document	CCPD	per agent's report
Request Examination	REXM	per agent's report
Instruct agent re		
Response due [insert date]	INST	per agent's report
Response	RESP	per agent's report
Annuity	ANU	per agent's report
Approve Text	APTX	per agent's report
Intent to Proceed	INTP	per agent's report

## 11. Foreign Filing

a. Upon filing PCT cases:

Docketing	Code	Date
National Phase Reminder (18 mos.)	NP18	18 months from priority date
File Chapter II Demand	CHP2	19 months from priority date
Enter National Phase (20 mos.) (if Chapter II Demand not filed)	NP20	20 months from priority date
National Phase Reminder (28 mos.)	NP28	28 months from priority date
Enter National Phase (30 mos.) (BR, CA, CN, JP, MX)	NP30	30 months from priority date
Enter National Phase (31 mos.) (AU, EP, NZ, RU, ZA)	NP31	31 months from priority date

b. Upon receipt of Notification of International Application Number:

Docketing	Code	Date
Correct Defects	COR	1 month from action
Correct Defects (non-extendable)	CORN	16 months from priority date
Correct Priority Claim	CORP	16 months from priority date but not later than 4 months from int'l filing date
Amend Claims	ACL	per PTO paper
Voluntary Amendment	VOL	per PTO paper
Reply to Written Opinion	ROPN	2 months from mailing date



## 12. Trademarks (U.S.)

Foreign Filing, Statements of Use, Section 8 & 15s, Renewals, Secondary Meaning, and Section 8s, are docketed as Partner SLP; or for ELF matters, ELF KGB.

All VNU Business Media, Inc. matters should be docketed GSW KGB SLP. VNU client numbers are 00993, 03038, 03210, 03211, 03212, 03213, 03214, 03215, 03450, 03669, 03670, 03671, 03672, 03673, 03674, 03675, 03676.

- a. Upon filing a U.S. Trademark Application, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Foreign Filing	F	6 months from filing date

- b. When an Office Action is received, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Priority Action	PACT	2 months from Office Action, if applicable
Amendment	A	Usually 6 months from Office Action (but check paper)

- c. When a Final Office Action is received, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Amendment F.R. (3 mos.)	A3F	3 months from Office Action
Amendment F.R./Appeal (6 mos.)	A6F	6 months from Office Action

- d. When a Post Registration Office Action is received, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Post Registration Action (Grace Period Expires)	PRAG	6 months from 8/15 (6 <sup>th</sup> ) Due Date
Post Registration Action (6 mos. date)	PRA6	6 months from Office Action

- e. Upon filing a Notice of Appeal:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Appeal Brief	APBR	60 days from filing Notice

- f. Upon receipt of a Notice of Allowance (after publication and opposition periods), docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Statement of Use	STMT	6 months from date of Notice of Allowance

- g. Upon registration on principal register, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Section 8 & 15 opens (5 <sup>th</sup> year)	8155	5 years from issue date
Section 8 & 15 (6 <sup>th</sup> year)	8156	6 years from issue date
Renewal	RNWL	10 years from issue date

- h. Upon registration on supplemental register, docket for:

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Secondary Meaning	2MN	5 years from date of 1st use in commerce
Section 8 opens (5 <sup>th</sup> Year)	8-5	5 years from issue date
Section 8 (6 <sup>th</sup> Year)	8-6	6 years from issue date
Renewal	RNWL	10 years from issue date

### **13. Trademarks (Foreign)**

Working and Renewals are docketed as Partner SLP; or for ELF matters, ELF KGB.

All VNU Business Media, Inc. matters should be docketed GSW KGB SLP. VNU client numbers are 00993, 03038, 03210, 03211, 03212, 03213, 03214, 03215, 03450, 03669, 03670, 03671, 03672, 03673, 03674, 03675, 03676.

<b>Docketing</b>	<b>Code</b>	<b>Date</b>
Instruct associate re Response due [insert date] Response	INST RESP	Take from agent's report Take from agent's report
Working/Use Renewal	WORK RNWL	Take from agent's report Usually 10 years from issue date but check report

## 14. Trademark Oppositions

## N (Notice of Opposition)

### a. Matter

Jack Schwartz Shoes, Inc./N0053B-Jack Schwartz Shoes, Inc. v. Logo Athletic

File Edit Case Information Tabs Help

Parties Doc Links Appointments Completed  
**Matter** Matter Notes Client Client Notes

**Management**

Matter Code: N0053B

Name: Jack Schwartz Shoes, Inc. v. Logo Athletic

Class: LIT Litigation

Bill Atty: ASC Arlana S. Cohen

Init Atty: ASC Arlana S. Cohen

Resp Atty: KGB Kathryn Grant Belleau

Office: STAMFORD Stamford Office

Start Date: 4/6/00

**Billing**

Activity Closed: ☐

TRADEMARK will show in short name and in Matter Notes

### b. Matter Supplement

Viewing Matter Supplement-03223/N0053B

Edit Help

Status Priority Trademark

Serial Number: 119,506 (Opp #)

Examiner/Atty:

Status: Opposition

Publication Date:

Issue Date:

Country: United States

Date of Abandonment:

Filing Date:

Art Unit/Law Office:

Publication Number:

Registration Number:

Expiration Date:

Country Code: US

Opposition No. 119,506 (Opp #)

OK Cancel

SSJR-S... PerfectLaw Attorney Info... (7/30/85 - 7/23/15) - Ja... Viewing Matter Sup... 11:10 AM

c. Matter Notes

Jack Schwartz Shoes, Inc./N0053B-Jack Schwartz Shoes, Inc. v. Logo Athletic

File Edit Notes Case Information Tabs Help

Parties Doc Links Appointments Completed  
Matter Matter Notes Client Client Notes

Changed from 03223-L0053B to 03223-N0053B.

Jack Schwartz Shoes, Inc., Opposer  
(ASC) St. Onge

v.

Logoathletic, Inc., Applicant  
Attorney for Logoathletic:  
James A. Dimitrijevic  
Calfee, Halter & Griswold, LLP  
800 Superior Avenue, Suite 1400  
Cleveland, OH 44114-2688  
Opposition to L Logo Athletic, Serial Number 75/781,746

FOR  
OPPOSITION  
SHOULD READ

CAPS

**Docketing****Oppositions**

<b>Incoming Mail</b>	<b>Mail Date</b>	<b>Description</b>	<b>Code</b>	<b>Docket Date</b>
Answer is due (forty days after mailing date hereof)	7/19/00	Answer	ANS	8/28/00
Discovery period to open	8/08/00	Discovery Opens	NDO	8/08/00
Discovery Period to close	2/04/01	Discovery Closes	NDC	2/04/01
Testimony period for party in position of plaintiff to close: (opening 30 days prior thereto)	5/05/01	Opposer's Testimony Opens	NOTO	4/05/01
		Opposer's Testimony Closes	NOTC	5/05/01
Testimony period for party in position of defendant to close: (opening 30 days prior thereto)	7/04/01	Applicant's Testimony Opens	NATO	6/04/01
		Applicant's Testimony Closes	NATC	7/04/01
Rebuttal testimony period to close: (opening 15 days prior thereto)	8/18/01	Rebuttal Testimony Opens	NBTO	8/03/01
		Rebuttal Testimony Closes	NBTC	8/18/01
Due 60 days after Rebuttal Testimony Closes	60 days after 8/18/01 above	Opposer's Brief		10/17/01
Due 30 days after Opposer's Brief	30 days after Opposer's Brief 10/17/01	Applicant's Brief		11/16/01
Due 15 days after Applicant's Brief	(15 days after Applicant's Brief due (11/16/01)	Reply Brief)		12/01/01

## Docketing

[7/30/85 - 7/23/15] - Jack Schwartz Shoes, Inc./N0053B-Opp. to L LogoAthletic

File Edit Appointment Case Information Tabs Help

Matter	Matter Notes	Client	Client Notes
Parties	Doc Links	Appointments	Completed
<input type="checkbox"/> Day	<input type="checkbox"/> When	<input type="checkbox"/> Description	<input type="checkbox"/> Attorneys
<input checked="" type="checkbox"/> t Tue	8/8/00	Discovery Opens	ASC KGB
<input checked="" type="checkbox"/> t Mon	8/28/00	Answer	ASC KGB
<input checked="" type="checkbox"/> t Sun	2/4/01	Discovery Closes	ASC KGB
<input checked="" type="checkbox"/> t Thu	4/5/01	Opposer's Testimony Opens	ASC KGB
<input checked="" type="checkbox"/> t Sat	5/5/01	Opposer's Testimony Closes	ASC KGB
<input checked="" type="checkbox"/> t Mon	6/4/01	Applicant's Testimony Opens	ASC KGB
<input checked="" type="checkbox"/> t Wed	7/4/01	Applicant's Testimony Closes	ASC KGB
<input checked="" type="checkbox"/> t Fri	8/3/01	Rebuttal Testimony Opens	ASC KGB
<input checked="" type="checkbox"/> t Sat	8/18/01	Rebuttal Testimony Closes	ASC KGB

Rebuttal Testimony Closes [ASC KGB]

## 15. Cancellations

### a. Matter Notes

Jack Schwartz Shoes, Inc./N0053B-Jack Schwartz Shoes, Inc. v. Logo Athletic

File Edit Case Information Tabs Help

Parties Doc Links Appointments Completed

Matter Matter Notes Client Client Notes

**Management**

Matter Code: N0053B

Name: Jack Schwartz Shoes, Inc. v. Logo Athletic

Class: LIT Litigation

Bill Atty: ASC Arlana S. Cohen

Init Atty: ASC Arlana S. Cohen

Resp Atty: KGB Kathryn Grant Belleau

Office: STAMFORD Stamford Office

Start Date: 4/6/00

**Billing**

Activity Closed

TRADEMARK will show in short name and in Matter Notes

### b. Matter Supplement

Editing Matter Supplement-03223/N0053B

Edit Help

Status Priority Cancellation No. Trademark

Serial Number: XXXXXX (Can #)

Examiner/Atty:

Status: Cancellation

Publication Date:

Issue Date:

Country: United States

Date of Abandonment:

Filing Date:

Art Unit/Law Office:

Publication Number:

Registration Number:

Expiration Date:

Country Code: US

OK Cancel

Document1 - Mic... PerfectLaw Attorn... Jack Schwartz Sh... Editing Matter... 11:25 AM

c. Matter Notes

Jack Schwartz Shoes, Inc./N0053B-Jack Schwartz Shoes, Inc. v. Logo Athletic

File Edit Notes Case Information Tabs Help

Parties Doc Links Appointments Completed

Matter Matter Notes Client Client Notes

Changed from 03223-L0053B to 03223-N0053B.

Jack Schwartz Shoes, Inc., Petitioner  
(ASC) St. Onge

v.

Logoathletic, Inc., Registrant  
Attorney for Logoathletic:  
James A. Dimitrijevic  
Calfee, Halter & Griswold, LLP  
800 Superior Avenue, Suite 1400  
Cleveland, OH 44114-2688  
Opposition to L LogoAthletic, Serial Number 75/781,746

FOR  
CANCELLATION  
SHOULD READ



**Docketing****Cancellations**

<b>Incoming Mail</b>	<b>Mail Date</b>	<b>Docket Description</b>	<b>Docket Code</b>	<b>Docket Date</b>
Answer is due (40 days after mailing date hereof)	7/19/00	Answer	ANS	8/28/00
Discovery period to open	8/08/00	Discovery Opens	NDO	8/08/00
Discovery Period to close	2/04/01	Discovery Closes	NDC	2/04/01
Testimony period for party in position of plaintiff to close: (opening 30 days prior thereto)	5/05/01	Petitioner's Testimony Opens	NPTO	4/05/01
		Petitioner's Testimony Closes	NPTC	5/05/01
Testimony period for party in position of defendant to close: (opening thirty days prior thereto)	7/04/01	Registrant's Testimony Opens	NRTO	6/04/01
		Registrant's Testimony Closes	NRTC	7/04/01
Rebuttal testimony period to close: (opening fifteen days prior thereto)	8/18/01	Rebuttal Testimony Opens	NBTO	8/03/01
		Rebuttal Testimony Closes	NBTC	8/18/01
Briefs shall be filed in accordance with Rule 2.128(a) & (b)	60 days after 8/18/01 above	Petitioner's Brief (due 60 days after Rebuttal Testimony Closes)	NPBD	10/17/01
	30 days after Petitioner's Brief 10/17/01	Registrant's Brief (due 30 days after Petitioner's Brief)	NRBD	11/16/01
	15 days after Registrant's Brief due 11/16/01	Reply Brief (due 15 days after Registrant's Brief)	NRBR	12/01/01

## Docketing

(7/30/85 - 7/23/15) - Jack Schwartz Shoes, Inc./N0053B-Opp. to L LogoAthletic

File Edit Appointment Case Information Tabs Help

Matter Matter Notes Client Client Notes  
Parties Doc Links Appointments Completed

	Day	When	Description	Attorneys	
<input type="checkbox"/>	t	Tue	8/8/00	Discovery Opens	ASC KGB
<input type="checkbox"/>	t	Mon	8/28/00	Answer	ASC KGB
<input type="checkbox"/>	t	Sun	2/4/01	Discovery Closes	ASC KGB
<input type="checkbox"/>	t	Thu	4/5/01	Petitioner's Testimony Opens	ASC KGB
<input type="checkbox"/>	t	Sat	5/5/01	Petitioner's Testimony Closes	ASC KGB
<input type="checkbox"/>	t	Mon	6/4/01	Registrant's Testimony Opens	ASC KGB
<input checked="" type="checkbox"/>	t	Wed	7/4/01	Registrant's Testimony Closes	ASC KGB
<input type="checkbox"/>	t	Fri	8/3/01	Rebuttal Testimony Opens	ASC KGB
<input type="checkbox"/>	t	Sat	8/18/01	Rebuttal Testimony Closes	ASC KGB

Registrant's Testimony Closes [ASC KGB]

## 14. Domain Names

- a. Upon registering a domain name:

Docketing	Code	Date
Domain Name Renewal	DNR	2 years from registration date and annually thereafter (or as instructed)

## II. FILE MAINTENANCE

### A. PATENTS

1. U.S. application materials shall be kept in U.S. Application Folders of common size, color and type. At least the color, however, should be different than those used for trademarks and international applications.
2. Upon receipt of a Notice of Allowance, an Issue Folder shall be prepared which shall contain:
  - any invention disclosure document,
  - assignment documents,
  - all records of maintenance fees, and
  - a copy of the patent when it issues.
3. Upon issuance of the U.S. Patent:
  - a. The patent should be placed in the Issue Folder.
  - b. the U.S. Application Folder should be reviewed to determine if any of its contents are important to international applications. Needed items should be transferred to the International Application Folder(s), and the U.S. Application Folder should be destroyed.
  - c. The H:/docs/ drive should be reviewed to determine if it is necessary to save any old amendment or application files, and only needed items should be retained.
4. Upon abandonment of a U.S. Application:
  - a. The file folder should be stripped of all but essential papers as identified in 1 or 2 above, and those papers should be transferred to a pertinent U.S. or foreign file.
  - b. Computer files should be checked for unneeded files.
5. International Application folders should be of a common size, color and type. At least the color, however should be different than those used for trademarks and U.S. patent applications.

B. TRADEMARKS

U.S. and international trademark application and renewal materials shall be kept in the same folder which shall be of a common size, color and type. At least the color, however, should be different than those used for U.S. and international patent applications.

C. BOX STORAGE

1. A label in form attached should be affixed to all boxed files.
2. A centralized log of files in storage, including a copy of the box label.

**CHECK LIST FOR POTENTIAL REPRESENTATION  
ST. ONGE STEWARD JOHNSTON & REENS LLC**

**Client No.**

This document is to be completed and retained in -G0000 file for the client.

1. Managing Attorney    Firm Client? - Other - Referral by
2. Client name –
3. Affiliated companies - none
4. Known competitors - none
5. Description of product(s) and market segments relevant to requested representation -
6. Specific services requested -
  - a) critical dates none
  - b) requested billing arrangement - normal
7. Conflict Clearance (please circulate and return to managing attorney)

	No conflict known, no equity interest, recommend commencing representation	Date	Should investigate potential conflict with:	Date	Hold equity interest
LHR					
GSW					
SPM					
WWW					
SHL					
ASC					
ELF					
RJB					

8. Engagement letter sent and retained in -G0000 file for client \_\_\_\_\_
9. Critical dates docketed \_\_\_\_\_

\_\_\_\_\_  
Managing Attorney

\_\_\_\_\_  
Date

**This form must be:**

- a. Attached to each Notice of Allowance;
- b. Completed immediately by the Attorney;
- c. Returned to Alice S. Jones for docketing.

Client/Matter No. \_\_\_\_\_

Date of Allowance \_\_\_\_\_

Issue/Fee/Drawings \_\_\_\_\_

Update for Patent \_\_\_\_\_

	<b>PRE-ISSUE CHECK LIST</b>	<b>Yes</b>	<b>No</b>	<b>Docket</b>
1.	Is this application to be assigned?			
	If so, has the assignment been recorded?			
2.	Does this application require a claim for priority?			
	If so, has a claim for priority been filed together with a certified copy of the foreign application?			
	Has the Examiner acknowledged receipt of the priority papers?			
3.	Are formal drawings required?			
	If so, have the formal drawings been filed?			
4.	Have claims been withdrawn from consideration? Indicate withdrawn claims.			
5.	Are any division or continuation-in-part applications to be filed?			
6.	Have all references cited in corresponding foreign applications been called to the attention of the Patent Office?			
	Are there any other references, not of record, that should be called to the attention of the Patent Office?			
7.	Before the issue fee is paid, and if the applicant has qualified as a Small Entity, has there been a check to determine whether those circumstances under which that status was obtained continue to exist (37 CFR 1.28(b))?			
8.	If foreign applications have not been published, is the client now interested in non-convention filing?			
9.	Prepare Issue file in accordance with file maintenance policy			

Alice S. Jones will put a two month call-up from the date of the allowance if any action is to be taken with respect to any of the questions raised above.

\_\_\_\_\_  
Date\_\_\_\_\_  
Signature

FILE NO.:

RESP. ATTORNEY:

DESCRIPTION OF CONTENTS:

DATE BOXED:

PULL DATE FOR DESTRUCTION:

DESIGNATED FILE LOCATION (select one):

UHAUL

BASEMENT (only if less than 3 years old)

3RD FLOOR (only if active)

OTHER (only if less than 3 years old), DESCRIBE

**Calendar for Client 03822-Dexter Shoe Company**  
**Matter P0173A-IMPROVED REMOVABLE HEEL**  
From 1/1/2003 To 9/1/2004  
Show: (Pending Completed )

**Saturday 05/17/03**

ToDo Completed [ DC GSW ]  
• Election

**Thursday 09/04/03**

ToDo Completed [ DC GSW ]  
• Amendment (3 mos.)

**Friday 10/17/03**

ToDo Completed [ DC GSW ]  
• Election (6 mos. S.P.)

**Thursday 12/04/03**

ToDo Completed [ DC GSW ]  
• CANCELED APPOINTMENT: ;Amendment (6 mos. S.P.)



## Docket Report -- Weekly

WEEKLY: 01/01/1998 to 11/15/2004; ATTORNEYS: Inclusive - DC;

	BILL	RESP	ALT	CLIENT	MATTER	SERIAL	REG	NAME	DESCRIPTION
DATE	ATTY	ATTY	ATTY			NUMBER	NUMBER		
01/06/04	GSW	DC	DC	03820	I0099A				
03/23/04	GSW	DC	DC	03824	D0110A				
05/14/04	GSW	DC	DC	03820	A0100A				
05/18/04	GSW	DC	DC	03824	D0120A				
05/18/04	GSW	DC	DC	03824	D0127A				
05/20/04	GSW	DC	DC	03821	P0104ACA				
07/12/04	WWW	DC	MWK	03396	P0001B				
07/13/04	GSW	DC	DC	03823	P0001A				
07/16/04	WWW	MWK	DC	03141	P0328CWO				
07/16/04	GSW	DC	DC	04131	P0001A				
07/25/04	GSW	DC	DC	02844	P0004BWO				
07/28/04	GSW	DC	DC	03823	P0001AMX				
08/10/04	GSW	DC	DC	03821	P0104AMX				
08/10/04	GSW	DC	DC	03821	P0140AMX				
08/16/04	WWW	MWK	DC	03141	P0328BWO				
08/16/04	WWW	MWK	DC	03141	P0328DWO				
08/16/04	WWW	DC	TMO	03141	P0379AWO				
08/16/04	WWW	DC	DC	03141	P0389AWO				
08/19/04	GSW	DC	DC	03821	P0104AMX				
09/04/04	WWW	TMO	DC	01925	P0149AIN				
09/05/04	GSW	DC	DC	03825	P0022AMX				
09/06/04	GSW	DC	DC	02844	P0004BWO				
09/09/04	GSW	DC	DC	03822	P0192A				
09/10/04	GSW	DC	DC	03822	P0049A				
09/10/04	WWW	DC	DC	04050	P0001B				
09/12/04	WWW	DC	SBS	02580	P0006A				

## Docket Report -- Weekly

WEEKLY: 01/01/1998 to 11/15/2004; ATTORNEYS: Inclusive - DC;

	BILL	RESP	ALT	CLIENT	MATTER	SERIAL	REG	NAME	DESCRIPTION
DATE	ATTY	ATTY	ATTY	ATTY	ATTY	NUMBER	NUMBER		
09/15/04	GSW	DC	DC	DC	03824	D0154A			
09/15/04	SPM	DC	DC	DC	03848	D0052A			
09/16/04	WWW	MWK	DC	DC	03141	P0328BWO			
09/16/04	WWW	MWK	DC	DC	03141	P0328DWO			
09/16/04	WWW	DC	TMO	DC	03141	P0379AWO			
09/16/04	WWW	DC	DC	DC	03141	P0389AWO			
09/17/04	GSW	DC	DC	DC	03825	D0032A			
09/19/04	GSW	DC	DC	DC	04152	L0010A			
09/20/04	GSW	DC	DC	DC	03822	T0004AEC			
09/22/04	GSW	DC	DC	DC	03827	P0033AEP			
09/25/04	WWW	DC	DC	DC	03141	P0329ACN			
09/26/04	WWW	MWK	DC	DC	03141	P0328CWO			
09/26/04	WWW	DC	DC	DC	03141	P0329ACN			
09/27/04	TMO	DC	DC	DC	03657	P0001B			
09/27/04	GSW	DC	AIC	DC	03822	N0211APK			
09/28/04	GSW	DC	DC	DC	03824	P0040A			
09/29/04	GSW	GSW	GSW	DC	03458	P0008AFR			
09/29/04	WWW	DC	DC	DC	04050	P0001A			
09/29/04	GSW	DC	DC	DC	04152	L0010A			
09/29/04	WWW	DC	DC	DC	04161	T0009A			
09/29/04	WWW	DC	DC	DC	04161	T0011B			
09/30/04	WWW	DC	DC	DC	03141	P0381AEP			
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09/30/04	WWW	DC	DC	DC	03141	P0449A			
09/30/04	GSW	DC	DC	DC	03822	D0122A			
09/30/04	GSW	DC	DC	DC	03822	D0122A			

REDACTED

**Docket Report -- Weekly**

WEEKLY: 01/01/1998 to 11/15/2004; ATTORNEYS: Inclusive - DC;

	BILL	RESP	ALT	CLIENT	MATTER	SERIAL	REG	NAME	DESCRIPTION
DATE	ATTY	ATTY	ATTY			NUMBER	NUMBER		
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09/30/04	GSW	DC	DC	03822	D0124A				
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09/30/04	GSW	GSW	DC	03828	T0002A				
09/30/04	WWW	WWW	WWW	04011	D0049ADE				
09/30/04	WWW	WWW	WWW	04011	D0049AES				
09/30/04	WWW	WWW	WWW	04011	D0049AGB				
09/30/04	WWW	WWW	WWW	04011	D0049AIT				
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10/01/04	SPM	DC	DC	03848	T0009AIT				
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10/02/04	GSW	DC	DC	03827	P0037AWO				
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10/06/04	GSW	DC	DC	02844	P0004B				
10/06/04	GSW	DC	DC	02844	P0004BWO				
10/06/04	GSW	DC	DC	03821	P0140A				
10/06/04	WWW	DC	DC	04161	T0010A				
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10/07/04	GSW	DC	DC	04152	T0004A				

REDACTED

## Docket Report -- Weekly

WEEKLY: 01/01/1998 to 11/15/2004; ATTORNEYS: Inclusive - DC;

	BILL	RESP	ALT	CLIENT	MATTER	SERIAL	REG	NAME	DESCRIPTION
DATE	ATTY	ATTY	ATTY	ATTY		NUMBER	NUMBER		
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10/13/04	GSW	DC	DC	03823	P0001A				
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10/14/04	GSW	DC	DC	03823	D0035A				
10/15/04	GSW	DC	DC	03824	D0125A				
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10/18/04	GSW	DC	DC	03824	T0023AMX				
10/19/04	GSW	DC	DC	04152	T0009A				
10/21/04	SPM	DC	DC	00512	P0067A				
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10/24/04	WWW	DC	DC	03141	P0328D				
10/26/04	WWW	MWK	DC	03141	P0328CWO				
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10/28/04	GSW	DC	DC	03824	P0040A				
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10/30/04	GSW	DC	DC	03824	D0114B				
10/31/04	WWW	DC	DC	03141	P0381AEP				

REDACTED

## Docket Report -- Weekly

WEEKLY: 01/01/1998 to 11/15/2004; ATTORNEYS: Inclusive - DC;

	BILL		RESP		ATTY	ALT	CLIENT	MATTER	SERIAL NUMBER	REG NUMBER	NAME	DESCRIPTION
DATE	ATTY	WWW	DC	DC	DC	TMO	03141	P0382AEP				
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11/02/04	GSW	DC	DC	DC	DC	DC	03821	T0143A				
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11/05/04	WWW	TMO	DC	DC	DC	DC	03822	P0210AIL				
11/05/04	GSW	DC	DC	DC	DC	DC	02844	P0004BWO				
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11/06/04	GSW	DC	DC	DC	DC	DC	03821	T0058A				
11/08/04	SPM	DC	DC	DC	DC	DC	00512	P0065A				
11/10/04	WWW	DC	DC	DC	DC	DC	03141	P0381A				
11/12/04	GSW	DC	DC	DC	DC	DC	03823	P0001ACA				
11/13/04	GSW	DC	DC	DC	DC	DC	03823	P0001AIL				
11/14/04	GSW	DC	DC	DC	DC	DC	03824	D0164A				
11/15/04	GSW	DC	DC	DC	DC	DC	03827	P0031BWO				

REDACTED

## Completed Events Calendar for (ALL)

From 9/10/2003 To 9/10/2003  
Show: (Appointments ToDo's)

Wednesday 09/10/03

### Appointments

ToDo 02051  
T0007ACZ

ToDo 03144  
P0006A

ToDo 03144  
P0018AAU

ToDo 03634  
P0002BEP

ToDo 03634  
P0002BCA

ToDo 03144  
P0031ADE

ToDo 03896  
P0001A

ToDo 03896  
P0001A

ToDo 00019  
P0032A

ToDo 00019  
P0032A

ToDo 03827  
T0006A

ToDo 02581  
P0399A

ToDo 03821  
T0103A

ToDo 02581  
T0489A

REDACTED

## Completed Events Calendar for (ALL)

From 9/10/2003 To 9/10/2003  
Show: (Appointments ToDo's )

Wednesday, 09/10/03 (Continued..)

### Appointments

ToDo	03161 T0009A
ToDo	03413 P0002C
ToDo	01985 P0045A
ToDo	03630 P0030A
ToDo	03824 D0118A
ToDo	03824 D0126A
ToDo	03824 D0127A
ToDo	02581 P0399A
ToDo	03345 P0017A
ToDo	03396 P0001BWO
ToDo	02581 P0255B
ToDo	03414 N0036A
ToDo	02417 L0011B
ToDo	02581 P0543A
ToDo	03031 D0046AGB

REDACTED

## Completed Events Calendar for (ALL)

From 9/10/2003 To 9/10/2003  
Show: (Appointments ToDo's)

Wednesday 09/10/03 (Continued...)

### Appointments

ToDo	03144
	P0010AJP
9:30am	02478
	L0081B

# REDACTED



PATENT  
03820-G-000 GSW/DC

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant	Columbia Insurance Company
Serial No. SEE ATTACHED SCHEDULE A	Filing Date: SEE ATTACHED SCHEDULE A
Title of Application:	SEE ATTACHED SCHEDULE A

Assistant Commissioner for Patents  
Washington, DC 20231

**Revocation and New Power Of Attorney**

Dear Sir:

Applicant, Columbia Insurance Company, a corporation of Nebraska, having its principal place of business at 3024 Harney Street; Omaha, NE 68131 hereby revokes all previous powers of attorney and appoints the following attorneys to prosecute these patent applications and transact all business in the United States Patent and Trademark Office connected therewith, receive all communications from the United States Patent and Trademark Office, and to receive the Letters Patents in connection herewith:

Gene S. Winter, Registration No. 28,352  
David Chen, Registration No. 46,613  
Attorneys for Applicant  
ST. ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155

To the best of my knowledge, Columbia Insurance Company is the assignee of record of the patent applications identified above.

Columbia Insurance Company

April 11, 2003  
Date

By

  
Forrest N. Krutter  
Its Senior Vice President

**PATENT**  
03822-P0173A GSW/DC

**SCHEDULE A**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants	William Alfond, <i>et al.</i>
Serial No. 09/991,101	Filing Date: November 21, 2001
Title of Application:	IMPROVED REMOVABLE HEEL
Confirmation No. 5726	Group Art Unit: 3728
Examiner	Ted Kavanaugh

Case No. 03822-P0173A GSW/DC/cg

Applicants: William Alfond, et al.

SN: 09/991,101

GAU 3728



For: IMPROVED REMOVABLE HEEL

Receipt is hereby acknowledged of Response to Notice and copies of Assignment  
Recordal Papers and Revocation and New Power of Attorney.

Mailed June 18, 2003

Commissioner  
for Patents

RECEIVED  
OCT 07 2004  
TECHNOLOGY CENTER P0702